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Attorneys for Defendants Humanigen, Inc. and Cameron Durrant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE HUMANIGEN, INC.
SECURITIES LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Case No. 2:22-cv-05258-WJM-AME

CLASS ACTION

**STIPULATION AND
~~PROPOSED~~ ORDER
MODIFYING SCHEDULING
DEADLINES**

WHEREAS, on August 26, 2022, Alejandro Pieroni commenced an action captioned *Pieroni v. Humanigen, et al.*, Case No. 2:22-cv-05258-WJM-AME (the

“Pironi Action”) against Humanigen, Inc. and certain related parties alleging violations of the federal securities laws under Sections 10(b) and 20(a) of the Securities Exchange Act and Rule 10b-5, promulgated thereunder by the SEC;

WHEREAS, on October 17, 2022, Dr. Scott Greenbaum filed a substantially similar action captioned *Greenbaum v. Humanigen, et al.*, Case No. 2:22-cv-06118-WJM-AME (the “Greenbaum Action”);

WHEREAS, on October 25, 2022, Plaintiffs Joshua Mailey and Dr. Scott Greenbaum individually filed motions seeking consolidation of the Pironi and Greenbaum Actions pursuant to Rule 42(a) of the Federal Rules of Civil Procedure and appointment of Lead Plaintiff and approval of selection of Lead Counsel pursuant to the Private Securities Litigation Reform Act of 1995 (“PSLRA”) (Dkt. Nos. 7, 9);

WHEREAS, on December 9, 2022, this Court entered an order, *inter alia*, consolidating the Pironi and Greenbaum Actions for all purposes pursuant to Rule 42(a) of the Federal Rules of Civil Procedure; appointing Plaintiffs Mailey and Greenbaum as Co-Lead Plaintiffs in the Consolidated Action and any subsequently filed or transferred actions that are consolidated with the Consolidated Action, pursuant to 15 U.S.C. §78u-4(a)(3)(B); and approving Co-Lead Plaintiffs’ selections of Pomerantz LLP and Levi & Korsinsky, LLP as Co-Lead Counsel (Dkt. No. 20);

WHEREAS, on December 22, 2022, Plaintiffs and Defendants filed a Stipulation and Order Setting Schedule for Filing Consolidated Amended Complaint and Response Thereto (Dkt. No. 23);

WHEREAS, on January 11, 2023, this Court so ordered such stipulation (Dkt. No. 24);

WHEREAS, on March 1, 2023, Plaintiffs and Defendants filed a Stipulation and Proposed Order Modifying Scheduling Deadlines (Dkt. No. 32);

WHEREAS, on March 2, 2023, this Court so ordered such stipulation (Dkt. No. 33) (the “Modified Scheduling Order”);

WHEREAS, the Modified Scheduling Order sets forth the following deadlines:

<i>Filing</i>	<i>Deadline</i>
Co-Lead Plaintiffs’ Consolidated Amended Complaint	March 27, 2023
Defendants’ Answer or Motion to Dismiss	May 26, 2023
Co-Lead Plaintiffs’ Opposition	July 25, 2023
Defendants’ Reply	September 8, 2023

WHEREAS, on March 27, 2023, Plaintiffs filed an Amended Complaint (Dkt. No. 36);

WHEREAS, the Parties have agreed to mediate this dispute on May 23, 2023;

WHEREAS, the Parties have agreed that extending the Scheduling Order to allow for mediation will promote judicial economy;

WHEREAS, the parties have conferred, through counsel, and agree to the following proposed deadlines for filing a consolidated amended complaint and subsequent briefing:

<i>Filing</i>	<i>Deadline</i>
Defendants' Answer or Motion to Dismiss	July 7, 2023
Co-Lead Plaintiffs' Opposition	September 8, 2023
Defendants' Reply	October 20, 2023

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, this 19th day of May, by and between the undersigned counsel, and subject to Court approval, that the following schedule shall govern:

<i>Filing</i>	<i>Deadline</i>
Defendants' Answer or Motion to Dismiss	July 7, 2023
Co-Lead Plaintiffs' Opposition	September 8, 2023
Defendants' Reply	October 20, 2023

SO STIPULATED.

Dated: May 19, 2023

Respectfully submitted,

POLSINELLI PC

/s/ Aaron E. Zerykier

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Additional Counsel for Plaintiff

Alejandro Pieroni

PURSUANT TO STIPULATION, IT IS SO ORDERED. The parties shall file a joint letter by May 31, 2023, setting forth the outcome of the mediation session scheduled for May 23, 2023.

Dated: May 23, 2023

/s/ André M. Espinosa

ANDRE M. ESPINOSA
United States Magistrate Judge